



CALIFORNIA TOW TRUCK ASSOCIATION

"Developing Professionalism in the Towing Industry"

May 13, 2024

California Air Resources Board (CARB)
1001 I Street
Sacramento, CA 95814

Subject: CTTA/ERSCA Comments on Amendments to the Advanced Clean Trucks Regulation and the Zero-Emission Powertrain Certification Test Procedure

Dear Chair Randolph and CARB Board Members:

The California Tow Truck Association (CTTA), known nationally as the Emergency Road Service Coalition of America (ERSCA), submits the following comments on CARB's proposed amendments to the Advanced Clean Trucks (ACT) Regulation and the Zero-Emission Powertrain Certification Test Procedure respectfully requesting an additional amendment to the ACT Regulation to provide relief for towing and recovery vehicles. The proposed amendment, discussed in detail below, will reduce emissions, preserve California based jobs, and increase safety for first responders and the motoring public.

CTTA/ERSCA is the largest towing-based non-profit association in the world, representing nearly 1,000 emergency roadside responders and towing companies within the State of California and throughout the country, which was established in 1969 to increase the professionalism in the towing industry and safety of the motoring public.

CTTA shares the concerns about the ACT Regulation that have been expressed by Miller Industries, which manufactures much of the towing and recovery equipment used by CTTA's members. According to Miller Industries, as Original Engine Manufacturers (OEMs) are limiting the sales of traditional internal combustion engines (ICE) for sale in California due to the ACT rule, the availability of ICE chassis to support the over 1,500 orders for new tow trucks in the state will be from 0 to 25% of the allocation provided in 2024 to support California operators. And in some cases, OEMs have indicated that an ICE chassis will only be available if a zero-emission vehicle chassis is also purchased. But as these zero-emission chassis cannot yet be equipped to support the towing industry, this would serve no purpose other than to exclude the purchase of any tow truck chassis.

Essentially, the Advanced Clean Truck rule's requirements upon manufacturers will mean that there will be fewer new traditional ICE tow trucks for sale in California, thus inevitably increasing their price, if you're even able to locate one. The lack of commercially available ICE tow trucks for sale in the state will have far-reaching negative impacts on not just towing companies, but the motoring public and Californians as a whole.

Proposed Amendments

In order to address the concerns for the tow industry, there are 3 options provided below. Option 1 would extend the same consideration to private towing and recovery vehicles that has been granted to those that are government owned, but still would require private towing and recovery vehicles to be subject to all reporting requirements. The second and third approaches would be to ensure that the newest, lowest emission towing and recovery vehicles can continue to be assembled and sold in California. Option 2 would, until 2035, provide the same relief as provided to low volume manufacturers. Option 3 would allow the assembly and sale until CARB's executive officer determines ZEV or NZEV options are available for the type of work necessary to increase roadway safety and reduce congestion emissions.

Option 1:

1963.1 ~~(a)~~ Deficit Generation.

(a) Starting with the 2024 model year, a manufacturer accrues deficits for each on-road vehicle produced and delivered for sale in California for the model year *except as specified in (b) and* for vehicles counted towards compliance with 13 CCR section 1962.4. A vehicle is only eligible to generate deficits once.

(b) A manufacturer shall not accrue deficits for emergency vehicles as specified in California Vehicle Code 165 or for any tow truck under Vehicle Code Section 615, that renders towing or recovery service or emergency road service to motorists and that meets the engine model year emissions requirements established by CARB for that model year and complies with annual reporting requirements established for non-emergency vehicles.

Option 2:

1963 (e) Low Volume Exemption.

(1) For each model year through the end of the 2035 model year, manufacturers that do not exceed 500 average annual sales of on-road vehicles produced and delivered for sale in California for the three prior model years are exempt from the requirements of sections 1963 through 1963.5. Manufacturers that meet this exemption as of 2021 but subsequently exceed 500 average annual vehicle sales in any model year become subject to the requirements of sections 1963 through 1963.5 starting the second model year after the average annual sales exceeded the threshold.

(2) A manufacturer may exclude up to 500 on-road vehicles per year when imported into California for the purposes of further assembly as a towing or recovery vehicle until the end of the 2035 model year.

Option 3:

1963.1 ~~(a)~~ Deficit Generation.

(a) Starting with the 2024 model year, a manufacturer accrues deficits for each on-road vehicle produced and delivered for sale in California for the model year *except as specified in (b) and* for vehicles counted towards compliance with 13 CCR section 1962.4. A vehicle is only eligible to generate deficits once.

(b) A manufacturer shall not accrue deficits for towing and recovery vehicles until the executive officer determines the same class of on-road ZEV or NZEV vehicle is available that can perform

towing or recovery services significantly equivalent to the lowest emission available gasoline or diesel models.

The emissions reductions from the continued sale of new, lower emission vehicles and the general and specific Freeway Service Patrol (FSP) program services that reduce congestion in the transportation system provide ample justification for CARB to accommodate relief for towing and recovery vehicles. Further, there are also demonstratable economic benefits for California small businesses, their employees, and the state for supporting an amendment. Additionally, an amendment is consistent with Governor Newsom's essential workforce designation of the industry during COVID and with legislation he signed last year. And finally, an amendment helps to protect the safety of first responders and motorists by ensuring that a sufficient number of tow vehicles remain on California's roads.

Due to the reasons cited above, CTTA/ERSCA urges the Board to dutifully consider the amendments proposed above to provide the necessary and warranted relief for towing and recovery vehicles.

Sincerely,

A handwritten signature in black ink, appearing to be 'Craig Baker', with a long horizontal flourish extending to the right.

Craig Baker
President

California Tow Truck Association/Emergency Road Service Coalition of America